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## FACSIMILE/TELECOPIER TRANSMISSION

**From:**

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| **Name:** | Jeffrey P. Kushan, Esq. |
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**To:**

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|---|---|
| **Name:** | Examiner Dong Jiang, Group Art Unit 1646 |
| **Company:** | U.S. Patent and Trademark Office |
| **Facsimile#:** | 7038729306 |
| **Voice Phone:** | |
| **Subject:** | U.S. Patent Application No. 10/015,967 |

**Date:** 08/19/2004      **Time:** 16:23:44 **No. Pages (Including Cover):** 13

## Message:

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## PTO FILING/DOCKET RECEIPT

Inventor(s):_____Dan L. EATON et al._____

Attorney Docket No. _____22338-00501_____

Serial or Patent No.:_____10/015,967_____

Filing or Issue Date:_____December 7, 2001_____

Confirmation No. (if assigned):_____

Title:_____INTERLEUKIN-8 HOMOLOGOUS POLYPEPTIDES AND USES THEREOF_____

Please acknowledge receipt of the following:

_____RESPONSE TRANSMITTAL AND EXTENSION OF TIME REQUEST; AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116, NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 1.191

Attorney/Secretary:_____JPK:DAS/pmo_____      PTO DATE STAMP

Due Date:_____August 6, 2004_____

Submitted by:_____Pamela M. Owens_____

Date:_____August 19, 2004_____

## PTO DATE STAMPED COPY

DC1 675507v1

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on __August 19, 2004__ .

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## Pamela Owens, Patent Secretary

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Attorney Docket No. 22338-00501

| | |
|---|---|
| **ART UNIT** | 1646 |
| **EXAMINER** | Dong Jiang |
| **INVENTOR(S)** | Dan L. EATON et al. |
| **SERIAL NUMBER** | 10/015,967 |
| **FILED** | December 7, 2001 |
| **FOR** | INTERLEUKIN-8 HOMOLOGOUS POLYPEPTIDES AND USES THEREOF |

### RESPONSE TRANSMITTAL AND EXTENSION OF TIME REQUEST (IF REQUIRED)

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

### FEE CALCULATION FOR ENCLOSED RESPONSE and EXTENSION REQUEST (if any)

| | Claims Remaining | Highest No. Previously Paid | Number Extra | Rate | Additional Fee |
|---|---|---|---|---|---|
| Total Claims | 10 | 43 | 0 | $18.00 | 0.00 |
| Independent Claims | 2 | 5 | 0 | $84.00 | 0.00 |
| Surcharge For Multiple Dependent Claim First Added........................................... | | | | +$280.00 | |
| ☒ Applicant requests a two month extension of time for response to the outstanding Office Action. The **large entity** fee is ........................................................ | | | | | |
| TOTAL ............................................................................................................. | | | | | 420.00 |
| ☐ SMALL ENTITY STATUS (if applicable, divide TOTAL by 2) .................................... ☐ Verified Statement enclosed, if not previously filed. | | | | | |
| ☐ Reduction for Extension Fee of     months already paid.............................................. | | | | | |
| ☐ OTHER: | | | | | |
| TOTAL............................................................................................................... | | | | | 420.00 |

☐   A check is enclosed to cover the fees as calculated above.

☒   The fees calculated above are to be charged to Deposit Account No. 18-1260

If for some reason applicant has not requested a sufficient extension of time and/or has not paid a sufficient fee for this response and/or the extension of time necessary to prevent the abandonment of this application, please consider this as a Request for an Extension for the required time period and/or an authorization to charge our Deposit Account No. 18-1260 for any fee which may be due. A duplicate copy of this sheet is enclosed.

SIDLEY AUSTIN BROWN & WOOD LLP

August 19, 2004
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8000

By: ___Jeffrey P. Kushan___

Reg. No. ___43,401___

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Patent Docket P1447R1/22338-00501

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---|---|
| In re Application of: Eaton, *et al.* | Group Art Unit: 1646 |
| Serial No.: 10/015,967 | Examiner: Jiang, Dong |
| Filed:  December 7, 2001 | |
| For:    Interleukin-8 Homologous Polypeptides and Uses Thereof | |

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### AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

Assistant Commissioner of Patents
P.O. Box 1450
Alexandria, VA  22313-1450

Sir:

This is in response to the Office Action mailed on April 6, 2004. Consideration of the remarks herein are respectfully requested.

The Commissioner is authorized to charge any fees that may be required, including extension fees, or to credit any overpayment to Deposit Account No. 18-1260.